

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

**Title of Invention** | LARYNGEAL AIRWAY DEVICE

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/797,479, filed on March 9, 2004,
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor 1 | Lou Tateo

Date:

6/17/04

Signature:

*Lou Tateo*

Citizen of:

United States

Inventor 2 | Hongha Le

Date:

6/17/04

Signature:

*Hongha Le*

Citizen of:

~~France~~ United State

Inventor 3 | Douglas Clement

Date:

7/13/04

Signature:

*D. Clement*

Citizen of:

United States

Inventor 4 | Chun Hung Chen

Date:

July 12 '04

Signature:

*Chun Hung Chen*

Citizen of:

Taiwan

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION  
USING AN APPLICATION DATA SHEET (37 CFR 1.76) –  
ADDITIONAL INVENTOR(S)  
Supplemental Sheet  
(Total of 2 forms are submitted.)**

**FULL NAME OF INVENTOR(S)**

Inventor 5: Muhua Huang

Date: 7/6/04

Signature: Muhua Huang

Citizen of: Taiwan

Inventor 6:

Date:

Signature:

Citizen of:

Inventor 7:

Date:

Signature:

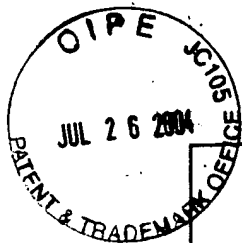
Citizen of:

Inventor 8:

Date:

Signature:

Citizen of:

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

|                        |                         |
|------------------------|-------------------------|
| Application Number     | 10/797,479              |
| Filing Date            | March 9, 2004           |
| First Named Inventor   | Tateo, Lou              |
| Title                  | LARYNGEAL AIRWAY DEVICE |
| Art Unit               | 3743                    |
| Examiner Name          |                         |
| Attorney Docket Number | 009103-022400           |

I hereby appoint:

☒ Practitioners associated with the Customer Number

20350

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
|      |                     |
|      |                     |
|      |                     |
|      |                     |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

Beth L. Karpf

Signature

Date

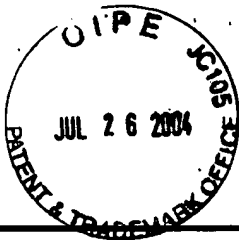
7-13-04

Telephone

925-463-4093

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Lou Tateo, Hongha Le, Douglas Clement, Chun Hung Chen and Muhua HuangApplication No./Patent No.: 10/797,479 Filed/Issue Date: March 9, 2004Entitled: LARYNGEAL AIRWAY DEVICENellcor Puritan Bennett Incorporated, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7-13-04

Date

925-463-4093

Telephone number

Beth L. Karpf

Typed or printed name

Beth L. Karpf

Signature

Assistant Secretary

Title

# COPY

Attorney Docket No.: 009103-022400  
Client Reference No.: P0428T

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lou Tateo of 411 Discovery Bay Blvd., Discovery Bay, California 94514; Hongha Le of 5 Fafnir Place, Pleasant Hill, California 94523; Douglas Clement of 576 South S Street, Livermore, California 94550; Chun Hung Chen of 9F1-1, No. 289, Sec 1, Jungshing Road, Shindian City, Taipei, 231 Taiwan; Muhua Huang of 4F., No. 10, Lane 178, Zhuangjing Road, Xinyi District, Taipei, 110 Taiwan, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: LARYNGEAL AIRWAY DEVICE

Filing Date: March 9, 2004

Application No.: 10/797,479; and

WHEREAS, Nellcor Puritan Bennett Incorporated, of 4280 Hacienda Drive, Pleasanton, California 94588, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

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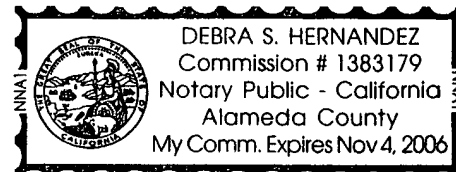
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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 6/17/04

Lou Tateo  
Lou Tateo

STATE OF California )  
COUNTY OF Alameda ) ss.



On 17 June 2004, before me, Debra S. Hernandez, personally appeared Lou Tateo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Debra S. Hernandez  
NOTARY PUBLIC

My Commission Expires: Nov. 4, 2006

Dated: June 17, 04

Hongha Le  
Hongha Le

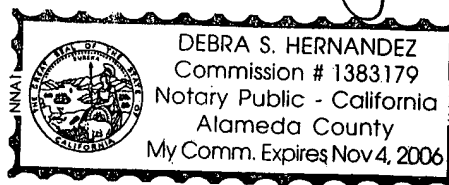
STATE OF California )  
COUNTY OF Alameda ) ss.

On 17 June 2004, before me, Debra S. Hernandez, personally appeared Hongha Le, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Debra S. Hernandez  
NOTARY PUBLIC

My Commission Expires: Nov. 4, 2006



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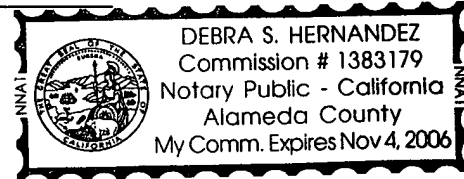
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Dated: 7/13/04

D. Clement  
Douglas Clement

STATE OF California )  
COUNTY OF Alameda )

ss.



On 13 July 2004, before me, Debra S. Hernandez, personally appeared Douglas Clement, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Debra S. Hernandez  
NOTARY PUBLIC

My Commission Expires: Nov. 4, 2006

Dated: July 12 '04

Chun Hung Chen  
Chun Hung Chen

SIGNATURE WITNESSED BY:

For THE INTERNATIONAL COMMERCIAL BANK OF CHINA  
LO TUNG BRANCH

(1) [Signature]  
Name: \_\_\_\_\_

Date: JUL 12 2004

.....  
FU YUAN YU (3147) Authorized Signature

(2) \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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COPY

Dated: 07/06/04

Muhua Huang

Muhua Huang

SIGNATURE WITNESSED BY:

For THE INTERNATIONAL COMMERCIAL BANK OF CHINA  
LO TUNG BRANCH

(1) [Signature]

Date: JUL 06 2004

Name: \_\_\_\_\_

FU YUAN YU (3147)

Authorized Signature

(2) \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

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